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APR 04 2007

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Appl. No. : 10/632,949
Applicant : Masahiro ISHIMA et al.
Filed : July 31, 2003
For : NOVEL PEPTIDES, DERIVATIVES
THEREOF, PROCESS FOR
PRODUCING THE SAME, NOVEL
STRAIN PRODUCING THE SAME,
AND ANTIVIRAL AGENT...
Art Unit : 1648
Examiner : Agnieszka Boesen
Docket No. : 03461C/HG
Customer No.: 01933
Confirm. No.: 5027

DECLARATION OF MICROORGANISM DEPOSIT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R :

The undersigned duly authorized official of Toyo Suisan Kaisha, Ltd., a corporation organized under the laws of Japan, and having its office in Tokyo, Japan, the Assignee of the entire interest of the above-identified application by virtue of an Assignment recorded on July 31, 2003 in the United States Patent and Trademark Office on Reel 014374, Frame 0703, declares that:

Pseudomonas sp. RtIB026 was identified in the above-identified application as being deposited under number FERM

BP-7436 (hereinafter referred to as the "deposited material") at the National Institute of Bioscience and Human Technology (National Institute of Advanced Industrial Science and Technology, International Patent Organism Depository) (located at 1-3, Higashi 1-chome, Tsukuba-shi, Ibaraki-ken, 305-8566 Japan), which is an international depository authority and which affords permanence of deposit and ready accessability thereto by the public if a United States patent is granted.

(a) Said deposited material was made under the terms of the Budapest Treaty;

(b) All restrictions, if any, on the availability to the public of the deposited material will be irrevocably removed upon the granting of a United States patent.

The undersigned declares that all statements made herein of his own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issued thereon.

Toyo Suisan Kaisha, Ltd.

Date: March 22, 2007

By: Mitsuhiro Onoe
Name: Mitsuhiro Onoe

Corporate Title: Deputy Director Compliance Department